

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CALAMOS ASSET MANAGEMENT, )  
INC., )  
 )  
Plaintiff, )  
 )  
 )  
v. ) C.A. No. 18-1510 (MN)  
 )  
 )  
TRAVELERS CASUALTY AND SURETY )  
COMPANY OF AMERICA, )  
 )  
 )  
Defendant. )

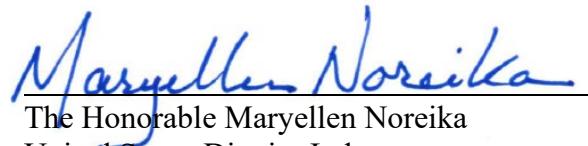
## **ORDER**

At Wilmington, this 30th day of April 2021, consistent with the Memorandum Opinion issued this date, IT IS HEREBY ORDERED that Plaintiff's Motion to Alter or Amend the Judgment Pursuant to Fed. R. Civ. P. 59(e) (D.I. 204) is GRANTED;

1. The Clerk of the Court is directed to REOPEN the case.
2. The Court hereby VACATES portions of its February 19, 2021 order granting Defendants' Motion for Summary Judgment (D.I. 202 ¶ 1); entering judgment in favor of Defendant and against Plaintiff on all counts of the Complaint (*Id.* ¶ 2); and directing the Clerk of the Court to close the case (*Id.* ¶ 6). The remainder of the February 19, 2021 order remains unchanged.
3. In accordance with the above paragraph, the Judgment entered in favor of Travelers Casualty and Surety Company of America and against Calamos Asset Management, Inc. (D.I. 203) is VACATED
4. Defendant's Motion for Summary Judgment (D.I. 155) is GRANTED-IN-PART and DENIED-IN-PART. Specifically, paragraph 1 of the motion is DENIED; paragraph 2 of the

motion is GRANTED; and paragraph 3 of the motion is DENIED-IN-PART and GRANTED-IN-PART.

5. The Court hereby DECLARES that: (1) the claimed Loss does not arise from any Securities Claim for a Company Wrongful Act and thus there is no coverage for any entity defendant in the Underlying Actions; and (2) coverage is not available to John Calamos, Sr. in his capacity as a controlling stockholder.



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The Honorable Maryellen Noreika  
United States District Judge